

REMARKS

Applicant appreciates the Examiner's indication that claims 8-17 are allowed. As note above, claims 18-22 have been cancelled. Therefore, only allowed claims remain in the case. In view of this fact, Applicant submits that the present case is in condition for immediate allowance.

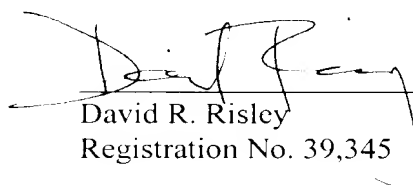
Applicant notes that the Office Action states "By canceling claims 1-7 and amending claims 8-17 applicant de facto admitted that the previous set of structural limitations was anticipated by Twyford or was obvious from combinations of the structure by Twyford and other references." Applicant states for the record that no such admission has been made. Furthermore, Applicant asserts that just because claims have been cancelled and/or amended, no admission necessarily follows. For instance, an applicant may cancel and/or amend claims because it is expedient to do so in an effort to receive a patent more quickly, even if that applicant believes that the cancelled and/or amended claims contain allowable subject matter in their original form.

That no admission was made in Applicant's previous Response is underscored by Applicant's comments in that Response regarding then cancelled claims 1-7. Applicant stated:

Claims 1-7 have been canceled from the application through this response without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

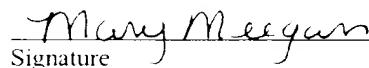
If Applicant believed that the cancelled claims were anticipated and/or obvious in view of the prior art, Applicant would not have reserved the right to present those claims in a subsequently-filed case.

Respectfully submitted,


David R. Risley
Registration No. 39,345

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

8-21-03


Signature